

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

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AUG 14 2020

JAMES N. HATTEN Clerk  
By: *[Signature]* Deputy Clerk

# UNITED STATES DISTRICT COURT

for the

Northern District of Georgia

  Civil   Division

Deon D. Jones  
Civil Action # 19-1-7743-48

Case No.

**1:20-CV-3396**  
*(to be filled in by the Clerk's Office)*

## Plaintiff(s)

*(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)*

-v-

Cobb County Superior Court

## Defendant(s)

*(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)*

Jury Trial: *(check one)* ☒ Yes ☐ No

## COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Non-Prisoner Complaint)

### NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Deon D. Jones		
Address	2571 Forrester Ct		
	Lithia Springs	GA	30122
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	Douglas		
Telephone Number	(470)432-1752		
E-Mail Address	deonjones1979@gmail.com		

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

**Defendant No. 1**

Name	Cobb County Superior Court		
Job or Title <i>(if known)</i>			
Address	70 Haynes St. Marietta, GA 30090		
	Marietta	GA	30090
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	Cobb		
Telephone Number	(770)528-1800		
E-Mail Address <i>(if known)</i>	Web Administrator		
<input type="checkbox"/> Individual capacity <input checked="" type="checkbox"/> Official capacity			

**Defendant No. 2**

Name			
Job or Title <i>(if known)</i>			
Address			
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County			
Telephone Number			
E-Mail Address <i>(if known)</i>			
<input type="checkbox"/> Individual capacity <input checked="" type="checkbox"/> Official capacity			

## Defendant No. 3

Name \_\_\_\_\_

Job or Title (if known) \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip Code \_\_\_\_\_

County \_\_\_\_\_

Telephone Number \_\_\_\_\_

E-Mail Address (if known) \_\_\_\_\_

☐ Individual capacity    ☐ Official capacity

## Defendant No. 4

Name \_\_\_\_\_

Job or Title (if known) \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip Code \_\_\_\_\_

County \_\_\_\_\_

Telephone Number \_\_\_\_\_

E-Mail Address (if known) \_\_\_\_\_

☐ Individual capacity    ☐ Official capacity
**II. Basis for Jurisdiction**

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐ Federal officials (a *Bivens* claim)

☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Fourteenth Amendment-due process of the law,

Freedom from discrimination for protected classes (see, race and national origin),

The right to petition the government, Freedom of speech, religion, assembly,

Cruel and unusual punishment

Abuse by a public official

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

The Plaintiff "clearly" "did not" file a Malpractice Complaint

*Riffle v. Armstrong*, 477 S.E.2d 535 (W.Va. Sup. Ct. 1996)

*Sassaali v. DeFauw*, 696 N.E.2d 1217 (Ill. App. Ct. 1998)

*Liles v. P.I.A Medifield*, 681 S0.2d 711 (Fla. Dist. Ct. Ap. 1996)

*Lubera v. Jewish Association For Services for the Aged*, 1996 W.L., 426375 (S.D.N.Y. 1996)

### III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

The Superior Court of Cobb County State of Georgia

The Magistrate Court of Cobb County State of Georgia

- B. What date and approximate time did the events giving rise to your claim(s) occur?

December 19, 2019 at approximately 9 Am at the Superior Court of Cobb County when Judge Shuster allowed WellStar Health System Inc., to not have to provide any proof that it was not false imprisonment and attempted murder.

March 12, 2018 at approximately 9 Am at the Cobb County Magistrate Court denying the warrants for

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

On December 15, 2017 at approximately 10:30 Am; I was dragged out of my car in the parking lot of the Resurgens Orthopaedics Clinic on Mesa Valley way road in Austell, GA by two Cobb County Police Officers and two Veterans Administration Police officers. I was dragged into the Veterans Administration Federal Facility against my will while I was begging for on lookers to call 911 and report that I was being abducted.

One of the Police Officers got into my car and drove it away and parked it somewhere and brought me my keys. This is all documented in the Veteran's Administration Police Report Officer who filed his report almost 2 months after the incident and only after it was being investigated by the OIG Office. None of the other three Police Officers filed a Police Report and Cobb County has verified that neither Cobb Police Officer has yet to file a Report which is required.

Case Number 508 IR20171215-001010 Reported by Harold Macee Jr. on 01/23/2018

#### **IV. Injuries**

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

I received PTSD from the traumatic experiences past and present while i was being held against my will and the emotional and financial hardship has made me loose my Parents due to the stress of my abduction and now because of the financial hardship I enduring due to the delay of Justice by this Cobb County Court is about to make me homeless which i will will file even more lawsuits against everyone involved.

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#### **V. Relief**

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

I want everyone involved in my abduction, false imprisonment, assault and battery forgery, fraud on 12/15/2017 thru 12/17/2017 at the Veterans Administration Austell Clinic, WellStar Cobb Hospital including Puckett Emergency Medical Services charged, arrested, prosecuted to the full extent of the law for their well documented both with video evidence showing all four police officers, lack of police reports, the VA police report filed nearly 2 months later, Application for the Warrants, email rejecting the Warrants.

I demand that everyone involved is also charged with attempted murder by injection.

I demand that this is investigated as a hate crime.

My physical damages from extreme back pain, knee pain, abdominal pain, PTSD, emotional distress from losing both of my Parents due to your hate crime, multiplied by the fact that I have to live with this pain, memory, wondering what you have planned next, will I live thru this day without your next move ending my life, is my granddaughter's life in jeopardy...

I demand \$250 million for punitive damages from Cobb County for their part in everything describe here.

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**VI. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

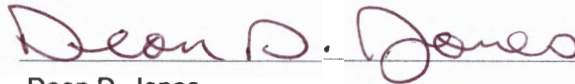
**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 08/14/2020

Signature of Plaintiff

Printed Name of Plaintiff



Deon D. Jones

**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address

## II. Basis for Jurisdiction

B.

Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Fourteenth Amendment-due process of the law,  
Freedom from discrimination for protected classes (see, race and national origin),  
The right to petition the government, Freedom of speech, religion, assembly,  
Cruel and unusual punishment  
Abuse by a public official  
Hate Crime  
Human rights violation  
Defamation of character by this court Order

D.

Section 1983 allows defendants to be found liable only when they have acted “under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia.” 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

The Plaintiff "clearly" "did not" file a Malpractice Complaint.

Rifle v. Armstrong, 477 S.E.2d 535 (W.Va.Sup.Ct 1996)  
Sassaali v. DeFauw, 696 N.E.2d 1217 (Ill.App.Ct. 1998)  
Liles v. P.I.A Medifield, 681 S0.2d 711 (Fla.Dist.Ct.App. 1996)  
Lubera v. Jewish Association For Services for the Aged, 1996 W.I., 426375 (S.D.N.Y. 1996)  
Plumadore v. New York 427 N.Y.App.Div. 1980)  
Chadwick v. Al-Basha, 692 N.E.2d 390 (Ill.App.Ct.1998)  
Demarco v. Sadiker, 952 F. Supp. 134 (E.D.N.Y. 1996)  
Dick v. Watonwa, 562 F. Supp. 1083 (D.Minn. 1983)(illegal confinement liability)  
Foshee v. Health Management Associates, 675 S0.2d 957 (Fla.Dist.Ct.App. 1996)  
James H. v. Ohio D.M.H., 439 N.E.2d 437 (OhioCt.App. 1982)

DDJ

### III. Statement of Claim

B. What date and approximate time did the events giving rise to your claim(s) occur?

December 19, 2019 at approximately 9 Am at the Superior Court of Cobb County when Judge Shuster allowed WellStar Health System Inc., to not have to provide any proof that it was not false imprisonment and attempted murder.

March 12, 2018 at approximately 9 Am at the Cobb County Magistrate Court denying the warrents for the arrest of Harold MaGee Jr., Jessica Fields, LPC, Dr. Joshua D. Rothstein, MD and Ericka R. Harvey BSN, RN for a well documented false imprisonment and attempted murder by injection

C.

What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*

On December 15, 2017 at approximately 10:30 Am; I was dragged out of my car in the parking lot of the Resurgens Orthopaedics Clinic on Mesa Valley way road in Austell, GA by two Cobb County Police Officers and two Veterans Administration Police officers. I was dragged into the Veterans Administration Federal Facility against my will while I was begging for on lookers to call 911 and report that I was being abducted.

One of the Police Officers got into my car and drove it away and parked it somewhere and brought me my keys. This is all documented in the Veteran's Administration Police Report Officer who filed his report almost 2 months after the incident and only after it was being investigated by the OIG Office. None of the other three Police Officers filed a Police Report and Cobb County has verified that neither Cobb Police Officer has yet to file a Report which is required.



Case Number 508 IR20171215-001010 Reported by Harold Magee Jr. on 01/23/2018

Incident Disposition: UNFOUNDED

Department of Veterans Affairs Police

508-Atlanta VAMC-Decatur

1670 Clairmont Road

Decatur, GA 30033

I don't have any warrants, never have had any warrants, never have been arrested, no DUI charges or any domestic charges so there is absolutely no reason at all for any Police Officer to be dragging me out of my car and into a Federal Building and taking part in a Hate Crime orchestrated by the government.

I was then transferred against my will by Puckett Emergency Medical Services who "forged" my signature on a 5 page document allowing them to fraudulently use my authority to not only collect money from the Veterans Administration which will come out of my Social Security, but also alleges that I gave them my permission to disperse their fraudulent documents to whomever they please while defaming my character.

Within 5 minutes of arriving at WellStar Cobb Hospital, Dr. Joshua D. Rothstein, MD had already ordered me to be injected with morphine and another opioid cocktail which would have clearly killed me while I was having a pancreatic attack. WellStar Health Systems Inc had just recently settled a \$3.5 million dollar lawsuit for killing a patient in the WellStar Kennesaw Hospital Emergency Room

WellStar Health Systems, Inc., and Cobb County are or have been Co-Defendants in numerous deaths at the Cobb County Jail by WellStar Health System injecting inmates with morphine and other opioid cocktails killing them and demanding justice by the NAACP.

Every time I go to Cobb County to try to get justice I always leave fearful of my life especially with them always asking do I live in Cobb County and when i say know they all look at each other and

sends chills down my spine. I believe Cobb County is taking a active part in taking my life to the point I am way to fearful of my life to take a Deposition Scheduled on August 20, 2020 in Cobb County. I am absolutely certain I will never be seen again if I was to show up there.

In Judge Shuster allowing WellStar Health System to leave court on December 16, 2019; leaves my life in jeopardy to snatched again by this criminal organization. You have Cobb County Police to round you up and get rid of your car, Puckett EMS to whisk you away, WellStar Health System waiting to kill you by injection and the Cobb County Coroner to get the death certificate right. If you survive, you have the Cobb County Courts to sweep it under the rub while violating ones civil rights to not not be killed.

This hate crime is so well documented everyone involved should be prosecuted and immediately put in prison.